

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA,

CR 19-50102

Plaintiff,

REDACTED INDICTMENT

vs.

Attempted Sexual Exploitation of a
Minor

FRANCIS JAMES KISTLER,

(18 U.S.C. §§ 2251(a) and (e))

Defendant.

Attempted Enticement of a Minor
Using the Internet
(18 U.S.C. § 2422(b))

Transfer of Obscene Material to a
Minor
(18 U.S.C. § 1470)

The Grand Jury charges:

COUNT 1

On or about between January 1, 2019 and June 24, 2019, in the District of South Dakota, the defendant, Francis James Kistler, did attempt to persuade, induce, entice, and coerce [Name Redacted], a minor, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, all in violation of 18 U.S.C. §§ 2251(a) and (e).

COUNT 2

On or about between January 1, 2019, and July 15, 2019, in the District of South Dakota, the defendant, Francis James Kistler, did attempt to persuade, induce, entice, and coerce [Name Redacted], a minor, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, all in violation of 18 U.S.C. §§ 2251(a) and (e).

COUNT 3

On or about between January 1, 2019, and June 24, 2019, in the District of South Dakota, the defendant, Francis James Kistler, did use a facility and means of interstate commerce, that is, a cellular phone and computer attached to the Internet, to attempt to knowingly persuade, induce, entice, and coerce an individual who had not yet attained 18 years of age, namely [Name Redacted], to engage in sexual activity for which the defendant could be charged with a criminal offense, namely, criminal sexual conduct in violation of 18 U.S.C. § 2251(a), Sexual Exploitation of a Minor, all in violation of 18 U.S.C. § 2422(b).

COUNT 4

On or about between January 1, 2019, and July 15, 2019, in the District of South Dakota, the defendant, Francis James Kistler, did use a facility and means of interstate commerce, that is, a cellular phone and computer attached to the Internet, to attempt to knowingly persuade, induce, entice, and coerce an individual who had not yet attained 18 years of age, namely [Name Redacted], to engage in sexual activity for which the defendant could be charged with a criminal offense, namely, criminal sexual conduct in violation of 18 U.S.C. § 2251(a), Sexual Exploitation of a Minor, all in violation of 18 U.S.C. § 2422(b).

COUNT 5

On or about between January 1, 2019, and June 24, 2019, in the District of South Dakota, the defendant, Francis James Kistler, knowingly used a facility or means of interstate commerce, that is, a cellular phone and computer attached to the Internet, to transfer and attempt to transfer obscene matter to another individual who had not attained 16 years of age, namely [Name Redacted], knowing that such other individual had not attained 16 years of age, all in violation of 18 U.S.C. § 1470.

COUNT 6

On or about between January 1, 2019, and July 15, 2019 in the District of South Dakota, the defendant, Francis James Kistler, knowingly used a facility or means of interstate commerce, that is, a cellular phone and computer attached to the Internet, to transfer and attempt to transfer obscene matter to

another individual who had not attained 16 years of age, namely [Name Redacted], knowing that such other individual had not attained 16 years of age, all in violation of 18 U.S.C. § 1470.

A TRUE BILL:

NAME REDACTED

Foreperson

RONALD A. PARSONS, JR.
United States Attorney

By: _____

